

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia
Richmond Division



Case No.

3:23cv596

(to be filled in by the Clerk's Office)

Virgil C. Phillips Sr.

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) Yes NoFederal Reserve Bank of Richmond

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address

Virgil C. Phillips Sr.
3901 Harvest Crest Drive
Richmond
VA 23223
804-350-2123
virgilphillips14@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name
Job or Title (*if known*)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (*if known*)

Federal Reserve Bank of Richmond
Serve - Lenny Johns
701 E. Byrd Street
Richmond
VA. 23219
804 - 697 - 8000

Defendant No. 2

Name
Job or Title (*if known*)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (*if known*)

Defendant No. 3

Name
Job or Title (*if known*)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (*if known*)

Defendant No. 4

Name
Job or Title (*if known*)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (*if known*)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

Federal question Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See attachments

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

See attachments

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 9/19/2023

Signature of Plaintiff

Virgil C. Phillips Sr.

Printed Name of Plaintiff

Virgil C. Phillips Sr.

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

III. Statement of Claim

- a. On March 26, 2018, I was hired as a Police Officer with the Federal Reserve Bank of Richmond. Shortly after I was hired, I became aware that I was paid less than a w/m Police Officer that was hired 3 months after I was hired but did not have the experience or qualifications that I possessed. I complained about this throughout my employment. The most recent time I complained about the pay disparity was in September of 2021.
- b. I also complained that white officers were being promoted over me when I had more qualifications and experience.
- c. In August of 2021, I heard two white officers making derogatory remarks about people that identified as LQBTQ. I also heard the same officers saying that they hoped the newly hired Black Female Officer can cook because they needed a new mama. On August 6, 2021, I complained to management about the racial tensions in the department. Nothing was done about my compliant.
- d. When my father passed away, management did nothing to show support for me. However, when a white female officer (Briana) father passed away, management requested donations for flowers for the white female officer. On Tuesday, July 6, 2021 at 12:27 PM, Michele Barker sent out an email advising she ordered a flower arrangement from Coleman Brothers Florist to be delivered to the funeral home for Bri's Father's (Mr. Carr) funeral for tomorrow. Michele stated, Lenny paid for the arrangement so we could get it there in time. If you would like to contribute towards the cost of the flowers (\$119), please see me. I'll be in the office tomorrow and Thursday this week, but can collect donations next week as well. Also please forward this email to any of your team members who might like to be included.
- e. The situation of Officer Jeffrey Ozmon w/m posting three black male officers dressed up like females on Instagram using their full name in which Officer Ozmon used the Federal Reserve Bank's PC and imaging to develop the photo. It took months before Officer Ozmon admitted to the true, however he continued to lied about the situation and he advised Tom Shumate (CPT) he wasn't going to tell who else was behind the photo. A video camera review should have been conducted as soon as possible, but I have a strong indication that it wasn't because it took months before Officer Ozmon admitted he did it. Officer Ozmond didn't receive any discipline.
- f. The Lee Hecht Harrison conducted a survey/report at the Federal Reserve Bank of Richmond and Terry Wright (Director of Law Enforcement Unit) talked about in November 2019 showed 90% of Disruptive Leadership and 80% Low Moral in Richmond. Terry Wright went on to talk about other items noted by staff such as Favoritism, Bullying, Retaliation, and Threatening Jobs. The things Terry Wright talked about is still occurring within LEU in Richmond against me and other

minority officers as well. Switching post run is just another tactic of how supervisors bully officers and retaliate against officers, which I strongly feel that is what SSGT Bowles (my supervisor) did to me by switching my schedule to benefit another white officer. Nick Boag (Human Resource employee) was in the meeting and witnessed when Terry Wright talked about the LHH Report.

1. My safety at the workplace of the Federal Reserve Bank in Richmond
 - a. Threaten by a Supervisor (SSGT Donald Patterson) to "kick my ass".
 - b. Witnesses – Officer Linsey Boswell and Antonio Perkins
2. Denied Promotion – (Age, Sex, Race) - Captain, Lieutenant, and SSGT twice
 - a. SSGT Briana Homan – given opportunity to pad resume, favoritism, served 10 days in Chesterfield Jail – It's Public Record
 - b. SSGT Brian Keating – given opportunity to pad resume
 - c. Michael Bermudez resume doesn't have the experience and level of education as my resume. Suspected padded resume
3. Targeted by Lt. Carter – Threatening my job. Yelling at me in briefing when I asked a question and he pushed away from the table in an aggressive manner with a gun on his side and his face turning a shade of red. I felt he was trying to intimidate me and I haven't asked any questions in briefing since that incident.
4. Harassment and Bullying – I've advised Tom Shumate and Jessica Coleman that I had been threaten by SSGT Donald Patterson and nobody has ensured my safety. Jessica Coleman asked a defensive question; how do I know they haven't talked to SSGT Patterson already? I felt like Jessica Coleman was bullying me and not concerned about my safety in the workplace. I was expecting Tom and Jessica to tell me that threats will not be tolerated here at the bank and they have handled the threat. I still have not heard anything from them about my safety at the bank as of this writing. I worry about my safety every day and feel as though Tom Shumate and Jessica Coleman is not taking my safety serious as an employee at the Federal Reserve Bank in Richmond. I have anxiety every time I report to work due to being threatened by SSGT Patterson and I have not seen any actions to ensure me that I'm not in danger when I report to work. I'm currently in counseling at the VA Hospital with everything that's going on in the LEU and how I'm being treated.
5. Hostile Environment/Interrogation – The discipline from supervisor's is not fair when it comes to certain officers. The favoritism for certain officers is so openly noticed and if certain officers speak up about it, they will be targeted and labeled as a trouble maker with a bad attitude and not a team player.
6. Military Veterans who speak up for the "Better Good" and what's ethically right are targeted.

On August 20, 2021, the Federal Reserve Bank of Richmond conducted an investigation involving myself and a white Lieutenant (Carter). The Lieutenant called to the post that I was working and asked if Officer Perkins, b/m was in the office, the officer in question was walking out the door. I told the Lieutenant no and he asked if I had seen the officer in question and I said no. I was aware at the time of the call that the white lieutenant was harassing and bullying this black officer. I felt at the moment as if I was protecting this co-worker because of numerous previous racist and hateful encounters between this white lieutenant and the fellow black officer. There were reports made regarding this officer's behavior and racial insensitive actions, but no disciplinary actions have been taken against the white lieutenant. I've written several memos and sent it to the Federal Reserve Bank of Richmond (HR, EEO) detailing multiple incidents of racism within the building as well as other unethical behaviors and goings on (as Law Enforcement Officers are required yearly to sign a contract promising to report unethical behavior or abuse of policies). Again, no action was taken to even investigate the claims.

The LHA Report that Terry Wright talked about in November 2019 showed 90% of Disruptive Leadership and 80% Low Moral in Richmond. Terry Wright went on to talk about other items noted by staff such as Favoritism, Bullying, Retaliation, and Threatening Jobs. The things Terry Wright talked about is still occurring within LEU in Richmond against me and other certain officers as well. Switching post run is just another tactic of how supervisors bully officers and retaliate against officers, which I strongly feel that is what SSGT Bowles did to me. Nick Boag (HR) was in the meeting and witnessed when Terry Wright talked about the LHA report.

IV. Relief

Complaint in Virgil C. Phillips Sr. v. Federal Reserve Bank of Richmond charges violation of Title VII of the Civil Rights Act of 1964 and seeking at least \$1 million.

I began working for the Federal Reserve Bank of Richmond in 2018, applied for the Sergeant position after a previous Sergeant was promoted to Lieutenant and the Sergeant position was vacant. The position was given to another applicant (w/f) who was another officer working various law enforcement post at the Federal Reserve Bank of Richmond, but had no real law enforcement experiences.

Discrimination

I have 30 years of Law Enforcement experience with Henrico County Police as a retired Lieutenant and 30 years of experience in the United States Army Reserve as a retired Colonel.